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CENTRAL FAX CENTER

MAY 30 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Binie V. Lipps

Frederick W. Lipps

Serial No.: 10/716,982

Filed: November 19, 2003

For: Saliva test for early diagnosis of cancers

§ ATTY DCKT NO: FWLPAT019US

§ § Art Unit: 1642

§ § Examiner: Tidwell, Judy Lille

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office, FAX NO: 571-273-8300 on the date shown below.

1. A Response to the Requirement for Restriction dated May 8, 2006 concerning this application.  
(3 pages including cover)

30 May 2006  
(Date)

  
John R. Casperson Reg. No. 28,198

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**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to a restriction requirement mailed May 8, 2006 concerning the captioned application, please consider the following:

**REMARKS**

Restriction has been required between claims 1-20, (Group I), directed toward a process for conducting an assay, claim 21, (Group II), directed toward a cancer diagnosis method, and claims 22-23, (Group III), directed toward a cancer treatment monitoring method. **Claims 1-20, (Group I), are provisionally elected. The restriction requirement is traversed.**

The basis for the restriction requirement is said to be that the claimed inventions are unrelated. However, all claims require, in various words, bringing a saliva sample together with at least one antibody made against a proteonic cancer marker. Since all claims require this step, they are